



PATENT
Atty Docket No. MBI-0022

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

James KEDDIE et al.

Appl. No.: 09/713,994

Filed: November 16, 2000

For: GENES FOR MODIFYING PLANT
TRAITS

Art Unit: 1638

Examiner: David H. Kruse

Commissioner for Patents
Washington, D.C. 200231

Sir:

**REPLY TO RESTRICTION AND ELECTION
OF SINGLE NUCLEOTIDE SPECIES REQUIREMENTS**

In response to the restriction requirement in the Office Action dated April 16, 2002 (Paper No. 7), applicants elect to prosecute the claims in Group I, claims 1-8, 13, 14, 25, and 26, with traverse. In response to the election of a single nucleotide species requirement (*see* page 11 of the Office Action), applicants provisionally elect SEQ ID NO: 15 (G896), for initial prosecution. As applicants are electing a species, if and when the subject matter directed to the elected species is found allowable, the remaining subject matter in the claims will be examined. Should the requirements be made final, applicants hereby reserve their right to proceed with the prosecution of any remaining claims in separate applications, without prejudice, and also reserve the right to have all sequences examined.

REMARKS

Applicants traverse the requirements for restriction and election of a single nucleic acid sequence.

As is stated in M.P.E.P. § 803: